

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dorel Marius Necsoiu et al.
Serial Number: 10/725,249
Date Filed: December 1, 2003
Examiner: Monica M. Pyo
Group Art: 2161
Confirmation No.: 1933
Title: **INFORMATION SHARING SYSTEM FOR
GEOGRAPHICAL DATA**

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

This Petition Under 37 C.F.R. § 1.181 To Withdraw Holding of Abandonment is applicable to the above-referenced patent application.

On December 20, 2006, a Notice of Non-Compliant Amendment (the "Notice") was mailed to Applicants from the U.S. Patent and Trademark Office ("USPTO"). The Notice provided for a one month time period for reply, with extensions of time available.

Applicants received and responded to the Notice by means of a Response to Notice of Non-Compliant Amendment (the "Response"), filed electronically on March 6, 2007. Accompanying the Response was a Petition for Extension of Time on Form SB/22.

The Response was filed within three months of the Notice, and required a two month extension. However, due to error, Applicants checked the box for a "One month" rather than "Two months" extension. However, Applicants also checked the boxes stating that fees were authorized to be paid from a deposit account and that any required fees may be charged to a

specific Deposit Account. The Response also included an authorization to charge to the deposit account. A copy of the Response and Petition for Extension are attached hereto as Exhibits A and B, respectively.

The Response and Petition were received by the Examiner, as indicated by the Electronic Acknowledgement Receipt, attached as Exhibit C.

The Examiner has taken the position that because Applicants checked the "One month" box, the Applicants did not timely file the Response. The Examiner has further stated to Applicants that the application is to be abandoned. A Notice of Abandonment was mailed on July 27, 2007 from the USPTO.

Applicants respectfully disagree with the Examiner's position. Applicants' position is that inclusion of the authorization to charge fees to the deposit account results in the Response being timely filed.

In fact, this scenario has already been the subject of an opinion by the PTO on a Decision for Regrade of a Registration Examination held in 2000. A copy of that opinion is attached as Exhibit D. Morning Question 11 dealt with a situation like the one presented here. In Question 11, a petition for extension of time erroneously requested a one-month extension instead of a two-month extension, but also included authorization to charge fees to a deposit account. The Decision held that the petition for one-month extension of time should be construed as a petition requesting the appropriate period of extension, and that the appropriate fee will be charged to the deposit account.

This interpretation of the rules is consistent with MPEP Sec. 710.02. In Sec. 710.02(e), the MPEP discusses 37 CFR 1.136(a)(3), stating that it "is intended as a safety net to avoid a potential loss of patent rights for applicants who had inadvertently omitted a petition". This intent would certainly encompass the present case, in which a petition was filed but merely contained an error as to the number of months. In other words, the intent of 37 CFR 1.136(a)(3) certainly encompasses a check mark misplaced by one month.

Exhibit E is also submitted to show that the deposit account in question had sufficient funds to pay the extension fee.

In sum, Applicants request that their Petition of Extension of Time, together with their authorization to charge fees to the deposit account, be construed as a petition for extension of time for the proper number of months, and that any required funds be charged to their deposit

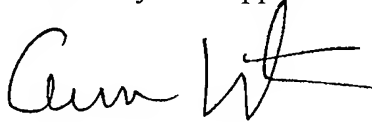
account. Applicants request that this Petition under 37 C.F.R. § 1.181 be granted, and that the holding of abandonment of the application be revived.

CONCLUSION

Applicants believe there are no fees due, however, if it is determined that a petition fee or any additional fees or extensions are due, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment for this paper to Deposit Account No. 50-2148 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants

A handwritten signature in black ink, appearing to read 'Ann W', with a stylized flourish at the end.

Ann C. Livingston
Reg. No. 32,479

Date: August 21, 2007

Send Correspondence to:

Customer No. **31625**

512.322.2634

512.322.8383 (Fax)

EXHIBIT A

ATTORNEY DOCKET
090936.0506

PATENT APPLICATION
10/725,249

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dorel Marius Necsoiu et al.
Serial Number: 10/725,249
Date Filed: December 1, 2003
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Title: **INFORMATION SHARING SYSTEM FOR
GEOGRAPHICAL DATA**

MAIL STOP – AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

In response to the Notice of Non-Compliant Amendment mailed December 20, 2006, Applicants respectfully submit the following amendments set forth below and request favorable action thereon. This Response is to be considered together with the Response previously filed on October 5, 2006.

Amendments to Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

CLAIM AMENDMENTS

IN THE CLAIMS

This listing of the claims will replace all prior versions, and listing, of claims in the application or previous response to office action:

1. (Currently Amended) A method of providing access to geodata, the geodata having been acquired by an enterprise having an in-house data communications network, comprising the steps of:

using a metadata builder to access geodata input files and to generate metadata files associated with the geodata files;

using a file converter to convert the geodata input files to downloadable archive files;

storing the archive files and metadata files in a repository served by the in-house data communications network;

using a metadata harvester to retrieve the metadata files from the repository and to build a metadata database;

wherein the metadata harvester retrieves the metadata files as XML (eXtensible Markup Language) and HTML (HyperText Markup Language) metadata files;

wherein the metadata harvester comprises a file locator for retrieving XML files, a metadata compiler for compiling retrieved XML files, a converter for retrieving HTML files and converting them to ANSI format, and a database builder for formatting the compiled and converted metadata files to relational database format;

storing the metadata files in relational database format in a metadata database;

wherein the metadata database is ;

~~storing the metadata database in memory~~ accessible by an internet server; and

using the internet server to: communicate via the Internet with a user's web browser; to receive query data from the web browser; to respond to the queries by accessing the metadata database; to download a results page containing a list of records, each record having a metadata

link to metadata associated with the record; to download a metadata page in response to activation of the metadata link, the metadata page containing metadata and at least one link to an archive file; to retrieve an archive file from the repository in response to activation of the link; and to download locally the archive file via a web browser.

2. (Currently Amended) The method of Claim 1, wherein the storing retrieving step is performed by storing retrieving an eXtensible Markup Language (XML) metadata file and an HyperText Markup Language (HTML) metadata file for each archive file.

3. (Original) The method of Claim 1, wherein one or more file formats and archive files are derived from a number of geodata input files.

4. (Original) The method of Claim 1, wherein the archive files are lossless compressed data files.

5. (Original) The method of Claim 1, wherein the geodata input files may be any of the following formats: vector, raster, or tabular.

6. (Original) The method of Claim 1, wherein the metadata database is a relational database.

7. (Original) The method of Claim 1, wherein the database access is via a Z39.50 server.

8. (Original) The method of Claim 1, wherein the metadata harvester retrieves metadata on a periodic basis.

9. (Original) The method of Claim 1, wherein the metadata harvester retrieves only metadata files which are new since a prior harvest.

10. Cancelled

11. **(Currently Amended)** The method of Claim 1, wherein the metadata complies with the Federal Geographic Data Committee (FDGC) standard or other metadata standards.

12. (Original) The method of Claim 1, wherein the internet server may receive query data in any one of the following formats: spatial, keyword, or temporal.

13. **(Currently Amended)** The method of Claim 1, wherein each record has a first metadata link to an HyperText Markup Language (HTML) metadata file and a second metadata link to an ASCII metadata file.

14. (Original) The method of Claim 1, wherein the metadata page further contains a thumbnail image of a map associated with the metadata.

15. (New) A system for providing access to geodata, the geodata having been acquired by an enterprise having an in-house data communications network, comprising:

- a metadata builder operable to access geodata input files and to generate metadata files associated with the geodata files;

- a file converter operable to convert the geodata input files to downloadable archive files;

- a repository serviced by the in-house data communications network for storing the archive files and metadata files;

- wherein the metadata files are stored as XML (eXtensible Markup Language) and/or HTML (HyperText Markup Language) metadata files;

- a metadata harvester operable to retrieve the metadata files from the repository;

- wherein the metadata harvester comprises a file locator for retrieving XML files, a metadata compiler for compiling retrieved XML files, a converter for retrieving HTML files and converting them to ANSI format, and a database builder for formatting the compiled and converted metadata files to relational database format;

- a metadata database for storing the metadata files in relational database format;

- wherein the metadata database is accessible by an internet server and is operable to perform at least the following tasks: communicate via the Internet with a user's web browser; to receive query data from the web browser; to respond to the queries by accessing the metadata database; to download a results page containing a list of records, each record having a metadata link to metadata associated with the record; to download a metadata page in response to activation of the metadata link, the metadata page containing metadata and at least one link to an archive file; to retrieve an archive file from the repository in response to activation of the link; and to download locally the archive file via a web browser.

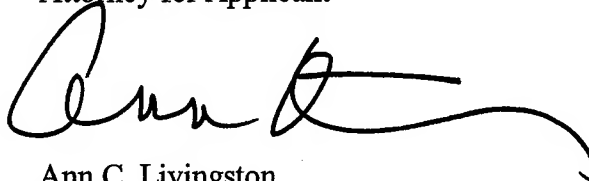
REMARKS

Applicant has made an earnest effort to place this case in condition for allowance in responding to the Notice of Non-Compliant Amendment.

Applicant believes there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 50-2148 of Baker Botts L.L.P. in order to effectuate this filing.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2634.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorney for Applicant

A handwritten signature in black ink, appearing to read 'Ann C. Livingston', with a long horizontal flourish extending to the right.

Ann C. Livingston
Reg. No. 32,479

Date: February 28, 2007

SEND CORRESPONDENCE TO:
BAKER BOTTS L.L.P.
CUSTOMER ACCOUNT NO. **31625**
512.322.2634
512.322.8383 (fax)

B PTO/SB/22 (12-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</i>		Docket Number (Optional) 090936.0506	
Application Number 10/725.249		Filed 12/01/2003	
For Information Sharing System for Geographical Data			
Art Unit 2161		Examiner Monica M. Pyo	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	<u>Fee</u>	<u>Small Entity Fee</u>	
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ <u>60.00</u>
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____

☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2148. I have enclosed a duplicate copy of this sheet.

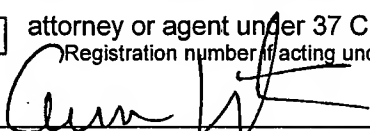
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

☒ attorney or agent of record. Registration Number 32,479

☐ attorney or agent under 37 CFR 1.34.
Registration number affecting under 37 CFR 1.34 _____



 Signature
Ann C. Livingston

 Typed or printed name

February 28, 2007

 Date
512.322.2634

 Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EXHIBIT C

Electronic Acknowledgement Receipt

EFS ID:	1238615
Application Number:	10725249
Confirmation Number:	1933
Title of Invention:	Information sharing system for geographical data
First Named Inventor:	Dorel Marius Necsoiu
Customer Number:	31625
Filer:	Michelle Lecointe/Alfonso Juarez
Filer Authorized By:	Michelle Lecointe
Attorney Docket Number:	090936.0506
Receipt Date:	05-OCT-2006
Filing Date:	01-DEC-2003
Time Stamp:	17:17:03
Application Type:	Utility
International Application Number:	

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$ 60
RAM confirmation Number	460
Deposit Account	502148
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part	Pages
1		090936-0506-response.pdf	228154	yes	7
	Multipart Description				
	Doc Desc		Start	End	
	Amendment - After Non-Final Rejection		1	1	
	Claims		2	5	
	Applicant Arguments/Remarks Made in an Amendment		6	7	
Warnings:					
Information:					
2	Extension of Time	090936-0506-extension.pdf	56254	no	1
Warnings:					
Information:					
3	Oath or Declaration filed	090936-0506-decl-1.pdf	656460	no	10
Warnings:					
Information:					
4	Oath or Declaration filed	090936-0506-decl-2.pdf	632084	no	10
Warnings:					
Information:					
5	Fee Worksheet (PTO-875)	fee-info.pdf	8144	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			1581096		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.



EXHIBIT D

UNITED STATES PATENT AND TRADEMARK OFFICE

R2001-282

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

SEP 5 2001

In re

:
: DECISION ON
: PETITION FOR REGRADE
: UNDER 37 C.F.R. § 10.7(c)
:

MEMORANDUM AND ORDER

(petitioner) petitions for regrading his answers to questions 11 and 50 of the morning section and questions 2, 36 and 43 of the afternoon section of the Registration Examination held on October 18, 2000. The petition is denied to the extent petitioner seeks a passing grade on the Registration Examination.

BACKGROUND

An applicant for registration to practice before the United States Patent and Trademark Office (USPTO) in patent cases must achieve a passing grade of 70 in both the morning and afternoon sections of the Registration Examination. Petitioner scored 66. On January 31, 2001, petitioner requested regrading, arguing that the model answers were incorrect.

As indicated in the instructions for requesting regrading of the Examination, in order to expedite a petitioner's appeal rights, a single final agency decision will be made regarding each request for regrade. The decision will be reviewable under 35 U.S.C. § 32. The Director of the USPTO, pursuant to 35 U.S.C. § 2(b)(2)(D) and 37 CFR 10.2 and 10.7, has delegated the authority to decide requests for regrade to the Director of Patent

Legal Administration.

OPINION

Under 37 C.F.R. § 10.7(c), petitioner must establish any errors that occurred in the grading of the Examination. The directions state: " No points will be awarded for incorrect answers or unanswered questions." The burden is on petitioners to show that their chosen answers are the most correct answers.

The directions to the morning and afternoon sections state in part:

Do not assume any additional facts not presented in the questions. When answering each question, unless otherwise stated, assume that you are a registered patent practitioner. Any reference to a practitioner is a reference to a registered patent practitioner. The most correct answer is the policy, practice, and procedure which must, shall, or should be followed in accordance with the U.S. patent statutes, the PTO rules of practice and procedure, the Manual of Patent Examining Procedure (MPEP), and the Patent Cooperation Treaty (PCT) articles and rules, unless modified by a subsequent court decision or a notice in the Official Gazette. There is only one most correct answer for each question. Where choices (A) through (D) are correct and choice (E) is "All of the above," the last choice (E) will be the most correct answer and the only answer which will be accepted. Where two or more choices are correct, the most correct answer is the answer which refers to each and every one of the correct choices. Where a question includes a statement with one or more blanks or ends with a colon, select the answer from

the choices given to complete the statement which would make the statement true. Unless otherwise explicitly stated, all references to patents or applications are to be understood as being U.S. patents or regular (non-provisional) utility applications for utility inventions only, as opposed to plant or design applications for plant and design inventions.

Where the terms "USPTO" or "Office" are used in this examination, they mean the United States Patent and Trademark Office.

Petitioner has presented various arguments attacking the validity of the model answers. All of petitioner's arguments have been fully considered. Each question in the Examination is worth one point.

Petitioner has been awarded an additional one (1) point for morning question 50. Accordingly, petitioner has been granted an additional point on the Examination. No credit has been awarded for morning question 11 and afternoon questions 2, 36 and 43. Petitioner's arguments for these questions are addressed individually below.

Morning question 11 reads as follows:

11. An Office action issued with a three month shortened statutory period for reply. Four and one-half months after the mailing date of the Office action, the applicant submitted a fully responsive amendment along with a petition and fee for a one-month extension of time. The petition for extension of time included an authorization to charge fees under 37 C.F.R. § 1.17 to applicant's deposit account. The applicant knew at the time the amendment was filed that a two-month extension of time was required. Unfortunately, however, a clerical error was made that resulted in only a one-month extension of time being requested. Applicant overlooked this error when the amendment was filed. Assuming no further papers by applicant, which of the following statements is true?

- (A) The amendment is treated as untimely and the application becomes abandoned. However, applicant may petition to revive the abandoned application on the basis that the abandonment was unavoidable.
- (B) The amendment is treated as untimely and the application becomes abandoned. However, applicant may petition to revive the abandoned application on the basis that the abandonment was unintentional.
- (C) The petition for a one-month extension of time will be construed as a petition requesting the appropriate period of extension, and the appropriate fee will be charged to the deposit account.
- (D) Applicant will be notified that the petition for extension of time was insufficient and will be given 30 days from the mailing date of the notification to request an extension of time for a second month.
- (E) None of the above.

The model answer is selection C.

37 C.F.R. § 1.136; MPEP § 710.02(e), p. 700-77. (A) and (B) are not true because the amendment is treated as timely. There is no authority for (D). (E) is untrue because (C) is true.

Petitioner argues that answer (B) is correct. Petitioner contends that since the petition does not include the proper request for a two month extension of time and it is not clear from the facts provided that all of the requirements of 37 CFR § 1.136(a)(3) are met that the application should go abandoned. Specifically, petitioner argues that the applicant has not previously submitted a written request to treat a reply requiring an extension of time as incorporating a petition for such extension of time nor has he previously filed an authorization to charge all fees or all required extension fees.

Petitioner's arguments have been fully considered but are not persuasive. If a petition for an extension of time requests an insufficient period of extension such that the petition would be filed outside the so-extended period for reply, but the period for reply could be further extended under 37 CFR 1.136(a) such that the petition would be filed within the further extended period for reply, it is the Office practice to simply treat the petition for extension of time as requesting the period of extension necessary to make the petition filed within the further extended period for reply if the petition or application contains an authorization to charge extension fees or fees under 37 CFR 1.17 to a deposit account. See MPEP § 710.02. The most correct answer is the policy, practice, and procedure which must, shall, or should be followed in accordance with the U.S. patent statutes, the PTO rules of practice and procedure, the Manual of Patent Examining Procedure (MPEP), and the Patent Cooperation Treaty (PCT) articles and rules, unless modified by a subsequent court decision or a notice in the Official Gazette. Accordingly, model answer (C) is correct and petitioner's answer (B) is incorrect.

No error in grading has been shown. Petitioner's request for credit on this question is denied.

Afternoon question 2 reads as follows:

2. Which of the following is not a proper incorporation by reference in an application prior to allowance according to USPTO rules and procedures?

(A) Incorporating material necessary to describe the best mode of the claimed invention by reference to a commonly owned, abandoned U.S. application that is less than 20 years old.

(B) Incorporating non-essential material by reference to a prior filed, commonly owned pending U.S. application.

(C) Incorporating material that is necessary to provide an enabling disclosure of the claimed invention by reference to a U.S. patent.

(D) Incorporating non-essential material by reference to a hyperlink.

(E) Incorporating material indicating the background of the invention by reference to a U.S. patent which incorporates essential material.

The model answer is selection D.

MPEP § 608.01(p). (A) is incorrect because abandoned applications less than 20 years old can be incorporated by reference to the same extent as copending applications.

ftp.uspto.gov/web/offices/com/sol/ria/oa/recrads/R2001-282.pdf

(B) is incorrect because non-essential material may be incorporated by reference to patents or applications published by the United States. (C) is incorrect because material necessary to provide an enabling disclosure is essential material, which may be incorporated by reference to a U.S. patent. (E) is incorrect because non-essential material may be incorporated by reference to a U.S. patent which incorporates essential material.

Petitioner argues that answer (E) is correct. Petitioner contends that since the question does not state whether or not the material is essential, it could be essential subject matter and that essential matter may not be incorporated by reference to a publication which itself incorporates essential subject matter by reference. See MPEP §608.01(p)(I)(a).

Petitioner's arguments have been fully considered but are not persuasive. Contrary to petitioner's statement that selection (E) is a correct answer because the material could be essential material, (E) specifically states that the incorporating material is for indicating the background of the invention, which is non-essential. Furthermore, the instructions state "[d]o not assume any additional facts not presented in the questions." Thus, petitioner should not assume that the material is essential. Accordingly, model answer (D) is correct and petitioner's answer (E) is incorrect.

No error in grading has been shown. Petitioner's request for credit on this question is denied.

Afternoon question 36 reads as follows:

36. The following statements relate to "multiple dependent claims." Which statement is not in accord with proper USPTO practice and procedure?

- (A) A multiple dependent claim contains all the limitations of all the alternative claims to which it refers.
- (B) A multiple dependent claim contains in any one embodiment only those limitations of the particular claim referred to for the embodiment under consideration.
- (C) A multiple dependent claim must be considered in the same manner as a plurality of single dependent claims.
- (D) Restriction may be required between the embodiments of a multiple dependent claim.
- (E) The limitations or elements of each claim incorporated by reference into a multiple dependent claim must be considered separately.

The model answer is selection A.

The answer is inconsistent with 35 U.S.C. § 112 and MPEP § 608.01(n), subpart I.B.4. (B), (C), and (E) are wrong answers because they are consistent with 35 U.S.C. § 112 and MPEP § 608.01(n), subpart I.B.4. (D) is wrong because it is consistent with MPEP § 608.01(n), subpart I. C.

Petitioner argues that answer (B) is correct. Petitioner contends that the statement is inconsistent because the dependent claim itself can introduce additional features which do not necessarily limit the features provided in the claim from which it depends. See 37 CFR 1.75(c).

Petitioner's arguments have been fully considered but are not persuasive. Contrary to petitioner's statement that selection (B) does not allow the addition of a new feature, it states that in any one embodiment only those limitations of the particular claim referred to for the embodiment under consideration (i.e., limited to those limitations drawn to the same embodiment). Selection (B) does not state that the dependent claim can not add additional features. See MPEP § 608.01(n)(I)(B)(4). Accordingly, model answer (A) is correct and petitioner's answer (B) is incorrect.

No error in grading has been shown. Petitioner's request for credit on this question is denied.

Afternoon question 43 reads as follows:

43. An article in a popular scientific journal, dated January 13, 1998, fully discloses and teaches how to make a "Smart Shoe" wireless telecommunications device. The article discloses a shoe having a dialer in a rubber sole of the shoe. The article does not teach or suggest using a metallic shoelace as an antenna or for any other purpose. Which of the following claims in an application filed January 20, 1999 is/are anticipated by the journal article, and is/are not likely to be properly rejected under 35 U.S.C. § 112, second paragraph as indefinite?

Claim 1. A telecommunications device comprising: a shoe having a rubber sole; a dialer in the rubber sole; and optionally a metallic shoelace.

Claim 2. A telecommunication device comprising: a shoe having a rubber sole; a dialer in the rubber sole; and a metallic shoelace.

Claim 3. A telecommunication device comprising: a shoe having a rubber sole; a dialer in the rubber sole; and optionally a random access memory for storing telephone numbers.

- (A) Claim 1.
- (B) Claim 2.
- (C) Claim 3.
- (D) Claims 1 and 3.
- (E) None of the above.

The model answer is selection D.

MPEP § 2173.05(h). *Ex Parte Cordova*, 10 USPQ2d 1949 (Bd. Pat. App. & Inter. 1989) and 35 U.S.C. § 102(b). (B) is incorrect since the article does not disclose a metallic shoelace. Since the "optional" element does not have to be disclosed in a reference for the claim to be anticipated, claims 1 and 3 are each anticipated by the article. Thus, (A), (C), and (E) are incorrect.

Petitioner argues that answer (E) is correct. Petitioner contends that both cited cases in the model answer use Markush groups. Petitioner argues that neither claims 1 nor 3 are Markush claims and it is not clear from the MPEP or from the cases cited whether a non-Markush claim using the word "optionally" is definite within 112.

Petitioner's arguments have been fully considered but are not persuasive. Contrary to petitioner's statement that claims 1 and 3 are indefinite, the claims are definite because "optionally" expression is acceptable alternative language since there is no ambiguity as to which alternatives are covered by the claim. See *Ex parte Wu*, 10 USPQ2d 2031 (Bd. Pat. App. & Inter. 1989) and MPEP 2173.05(h)III. Petitioner misinterprets the MPEP 2173.05(h) entitled "Alternative Limitations." The MPEP set forth that subsection I entitled "Markush Groups" applies to Markush Groups, subsection II entitled "'OR' Terminology" applies to any claim that uses the "or" expression, and subsection III entitled "Optionally" applies to any claim that uses the "optionally" expression. Subsections II and III are not limited to Markush Groups. Accordingly, model answer (D) is correct and petitioner's answer (E) is incorrect.

No error in grading has been shown. Petitioner's request for credit on this question is denied.

ORDER

For the reasons given above, one (1) point has been added to petitioner's score on the Examination. Therefore, petitioner's score is 67. This score is insufficient to pass the Examination.

Upon consideration of the request for regrade to the Director of the USPTO, it is ORDERED that the request for a passing grade on the Examination is denied.

This is a final agency action.

A handwritten signature in black ink, appearing to read "R. Spar", is positioned above a horizontal line.

Robert J. Spar
Director, Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy



**United States
Patent and
Trademark Office**



Deposit Account Statement

Requested Statement Month:	March 2007
Deposit Account Number:	502148
Name:	BAKER BOTTS L.L.P
Attention:	CORINA Y HARRISON
Street Address 1:	1600 SAN JACINTO CENTER
Street Address 2:	98 SANJACINTO BLVD
City:	AUSTIN
State:	TX
Zip:	78701-4039
Country:	UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
03/01	493	11574455	071308.0805	1631	\$300.00	\$19,652.5
03/01	494	11574455	071308.0805	1642	\$400.00	\$19,252.5
03/01	495	11574455	071308.0805	1633	\$200.00	\$19,052.5
03/01	496	11574455	071308.0805	1615	\$350.00	\$18,702.5
03/01	1	10798124	066639.0123	2201	\$300.00	\$18,402.5
03/01	883	PCT/US07/62967	090936.0718	1601	\$300.00	\$18,102.5
03/01	884	PCT/US07/62967	090936.0718	1701	\$1,008.00	\$17,094.5
03/01	885	PCT/US07/62967	090936.0718	1709	\$232.00	\$16,862.5
03/01	886	PCT/US07/62967	090936.0718	8007	\$20.00	\$16,842.5
03/01	97	10596001	068758.0414	8021	\$40.00	\$16,802.5
03/01	1265	11680275	068758.0543	1011	\$300.00	\$16,502.5
03/01	1266	11680275	068758.0543	1111	\$500.00	\$16,002.5
03/01	1267	11680275	068758.0543	1311	\$200.00	\$15,802.5
03/01	1268	11680275	068758.0543	1202	\$400.00	\$15,402.5
03/01	1269	11680275	068758.0543	1201	\$800.00	\$14,602.5
03/01	1440	11680296	068758.0534	1011	\$300.00	\$14,302.5
03/01	1441	11680296	068758.0534	1111	\$500.00	\$13,802.5
03/01	1442	11680296	068758.0534	1311	\$200.00	\$13,602.5
03/01	1619	11680326	090936.0678	4011	\$75.00	\$13,527.5
03/01	1620	11680326	090936.0678	2111	\$250.00	\$13,277.5
03/01	1621	11680326	090936.0678	2311	\$100.00	\$13,177.5
03/01	1708	11680342	068758.0548	1011	\$300.00	\$12,877.5
03/01	1709	11680342	068758.0548	1111	\$500.00	\$12,377.5
03/01	1710	11680342	068758.0548	1311	\$200.00	\$12,177.5
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03/01	1959	10379193	016295.1269 (DC-04531)	1251	\$120.00	\$12,017.5

03/01 1960 10379193	016295.1269 (DC-04531)	1801	\$790.00	\$11,227.5
03/01 2396 10735159	071308.0492	1401	\$500.00	\$10,727.5
03/01 2529 11463734	071308.0739	1051	\$130.00	\$10,597.5
03/01 2 90007877	25848/81101	1614	\$200.00	\$10,397.5
03/01 3 90007877	25848/81101	1615	\$50.00	\$10,347.5
03/01 557 11383913	068758.0406	8021	\$40.00	\$10,307.5
03/01 61 PAYMENT		9203	-\$75,000.00	\$85,307.5
03/02 324 11680855	068758.0551	1011	\$300.00	\$85,007.5
03/02 326 11680855	068758.0551	1311	\$200.00	\$84,807.5
03/02 327 11680855	068758.0551	1202	\$300.00	\$84,507.5
03/02 325 11680855	068758.0551	1111	\$500.00	\$84,007.5
03/02 428 11680869	068758.0552	1011	\$300.00	\$83,707.5
03/02 429 11680869	068758.0552	1111	\$500.00	\$83,207.5
03/02 431 11680869	068758.0552	1202	\$200.00	\$83,007.5
03/02 430 11680869	068758.0552	1311	\$200.00	\$82,807.5
03/02 564 11680881	068758.0547	1011	\$300.00	\$82,507.5
03/02 565 11680881	068758.0547	1111	\$500.00	\$82,007.5
03/02 566 11680881	068758.0547	1311	\$200.00	\$81,807.5
03/02 847 10797241	074313.0107	1251	\$120.00	\$81,687.5
03/02 1 11253467	073252.0184	2202	\$425.00	\$81,262.5
03/02 443 11460836	017575.1130	8021	\$40.00	\$81,222.5
03/02 4238 10903724	071308.0585	1251	\$120.00	\$81,102.5
03/05 27 11538998	070255.0698	1051	\$130.00	\$80,972.5
03/05 236 11277105	068758.0388	1051	\$130.00	\$80,842.5
03/05 1 11008134	076041.0159	1814	\$130.00	\$80,712.5
03/05 743 11574637	071308.0807	1631	\$300.00	\$80,412.5
03/05 744 11574637	071308.0807	1642	\$400.00	\$80,012.5
03/05 745 11574637	071308.0807	1633	\$200.00	\$79,812.5
03/05 898 11319050	074104.1069	2253	\$510.00	\$79,302.5
03/05 1296 10994912	074313.0112	1252	\$450.00	\$78,852.5
03/05 1297 10994912	074313.0112	1401	\$500.00	\$78,352.5
03/05 298 11423026	006910.0001	8021	\$40.00	\$78,312.5
03/05 366 11427847	068758.0429	8021	\$40.00	\$78,272.5
03/05 3122 11130522	068758.0323	1501	\$1,400.00	\$76,872.5
03/05 3123 11130522	068758.0323	1504	\$300.00	\$76,572.5
03/05 3124 10327455	019856.0114	2501	\$700.00	\$75,872.5
03/05 3125 10327455	019856.0114	1504	\$300.00	\$75,572.5
03/05 3126 10964877	016295.1718 (DC-07113)	1501	\$1,400.00	\$74,172.5
03/05 3127 10964877	016295.1718 (DC-07113)	1504	\$300.00	\$73,872.5
03/05 3223 10902771	066639.0131	1464	\$130.00	\$73,742.5
03/05 3224 10902771	066639.0131	2801	\$395.00	\$73,347.5
03/05 3234 11008448	091078.1271	1253	\$1,020.00	\$72,327.5
03/05 220 5404277	068363.0170	2553	\$1,900.00	\$70,427.5
03/05 221 5404277	068363.0170	2556	\$65.00	\$70,362.5
03/05 3 90000316		9204	-\$180.00	\$70,542.5
03/05 4 95000118	25848-81001	1806	\$180.00	\$70,362.5
03/06 323 11608592	068758.0523	1051	\$130.00	\$70,232.5
03/06 493 11611498	068758.0520	1051	\$130.00	\$70,102.5

03/06 1228 10533135	066511.0111	2255	\$1,080.00	\$69,022.5'
03/06 220 11673708	074104.2118	8021	\$40.00	\$68,982.5'
03/06 3417 09961218	016295.0697	1252	\$330.00	\$68,652.5'
03/06 3418 09961218	016295.0697	1401	\$500.00	\$68,152.5'
03/06 3507 29250807	074104.2128	1051	\$130.00	\$68,022.5'
03/06 3513 29250804	074104.2127	1051	\$130.00	\$67,892.5'
03/06 573 11549366	068758.0491	8021	\$40.00	\$67,852.5'
03/06 3783 10652444	071308.0465	1806	\$180.00	\$67,672.5'
03/06 4396 10725249	090936.0506	2251	\$60.00	\$67,612.5'
03/06 4712 11574765	071308.0809	1631	\$300.00	\$67,312.5'
03/06 4713 11574765	071308.0809	1642	\$400.00	\$66,912.5'
03/06 4714 11574765	071308.0809	1633	\$200.00	\$66,712.5'
03/07 19 11682483	068758.0550	1011	\$300.00	\$66,412.5'
03/07 20 11682483	068758.0550	1111	\$500.00	\$65,912.5'
03/07 21 11682483	068758.0550	1311	\$200.00	\$65,712.5'
03/07 191 11067815	090936.0555	2253	\$510.00	\$65,202.5'
03/07 192 11067815	090936.0555	2801	\$395.00	\$64,807.5'
03/07 1029 10975756	091078.1291	2801	\$395.00	\$64,412.5'
03/07 208 11537380	076041.0653	8021	\$40.00	\$64,372.5'
03/07 2146 11032957	074263.0292 (SC-00-007 DI	1806	\$180.00	\$64,192.5'
03/07 3124 10692397	016295.1469 (DC-05355)	1252	\$450.00	\$63,742.5'
03/07 3125 10692397	016295.1469 (DC-05355)	1801	\$790.00	\$62,952.5'
03/07 1 11319050	074104.1069	1202	\$800.00	\$62,152.5'
03/07 2 11319050	074104.1069	2253	-\$510.00	\$62,662.5'
03/07 3 11319050	074104.1069	1253	\$1,020.00	\$61,642.5'
03/07 504 11537526	076041.0134	8021	\$40.00	\$61,602.5'
03/07 3757 60870107	068354.1631	1052	\$50.00	\$61,552.5'
03/08 14 11537536	076041.0648	8021	\$40.00	\$61,512.5'
03/08 1222 11683196	016295.3091	1011	\$300.00	\$61,212.5'
03/08 1223 11683196	016295.3091	1111	\$500.00	\$60,712.5'
03/08 1224 11683196	016295.3091	1311	\$200.00	\$60,512.5'
03/08 3222 10974263	016295.1789 (DC-03758A)	1801	\$790.00	\$59,722.5'
03/08 3472 09829784	073612.0105	1806	\$180.00	\$59,542.5'
03/08 3502 11538663	068758.0482	1011	\$300.00	\$59,242.5'
03/08 3503 11538663	068758.0482	1111	\$500.00	\$58,742.5'
03/08 3505 11538663	068758.0482	1051	\$130.00	\$58,612.5'
03/08 3504 11538663	068758.0482	1311	\$200.00	\$58,412.5'
03/08 3569 11565141	070255.0690	1051	\$130.00	\$58,282.5'
03/08 3662 09829516	SMIO.0100005	1806	\$180.00	\$58,102.5'
03/08 4294 11538636	071308.0764	1011	\$300.00	\$57,802.5'
03/08 4295 11538636	071308.0764	1111	\$500.00	\$57,302.5'
03/08 4296 11538636	071308.0764	1311	\$200.00	\$57,102.5'
03/08 4297 11538636	071308.0764	1051	\$130.00	\$56,972.5'
03/08 419 29250804	074104.2127	8007	\$140.00	\$56,832.5'
03/08 420 29250807	074104.2127	8007	\$140.00	\$56,692.5'
03/09 1272 11683788	068758.0553	1011	\$300.00	\$56,392.5'
03/09 1275 11683788	068758.0553	1201	\$200.00	\$56,192.5'
03/09 1274 11683788	068758.0553	1311	\$200.00	\$55,992.5'

03/09 1273 11683788	068758.0553	1111	\$500.00	\$55,492.5
03/09 2228 PCT/US07/63605 065715.0150		1601	\$300.00	\$55,192.5
03/09 2232 PCT/US07/63605 065715.0150		8007	\$20.00	\$55,172.5
03/09 2229 PCT/US07/63605 065715.0150		1702	\$1,086.00	\$54,086.5
03/09 2231 PCT/US07/63605 065715.0150		1709	\$232.00	\$53,854.5
03/09 2230 PCT/US07/63605 065715.0150		1703	\$168.00	\$53,686.5
03/09 40 11675512	073612.0114	1081	\$250.00	\$53,436.5
03/09 3394 11684056	071308.0811	1011	\$300.00	\$53,136.5
03/09 3395 11684056	071308.0811	1111	\$500.00	\$52,636.5
03/09 3396 11684056	071308.0811	1311	\$200.00	\$52,436.5
03/09 3496 11562722	071308.0783	1051	\$130.00	\$52,306.5
03/09 3679 11609553	090936.0715	2051	\$65.00	\$52,241.5
03/12 61 11435530	074313.0129	8021	\$40.00	\$52,201.5
03/12 523 11560177	068758.0511	8021	\$40.00	\$52,161.5
03/12 3561 10634942	016295.1377 (DC-04979)	1252	\$450.00	\$51,711.5
03/12 550 11558794	068758.0509	8021	\$40.00	\$51,671.5
03/12 3651 11560158	068758.0503	1051	\$130.00	\$51,541.5
03/12 3653 29245214	074104.1371	1502	\$800.00	\$50,741.5
03/12 3733 11613253	068758.0518	1051	\$130.00	\$50,611.5
03/12 3835 11565924	074623.0121	1051	\$130.00	\$50,481.5
03/12 4028 11549809	074313.0130	1051	\$130.00	\$50,351.5
03/12 4362 11072096	070255.0665	1806	\$180.00	\$50,171.5
03/13 389 11684849	068758.0554	1011	\$300.00	\$49,871.5
03/13 390 11684849	068758.0554	1111	\$500.00	\$49,371.5
03/13 391 11684849	068758.0554	1311	\$200.00	\$49,171.5
03/13 392 11684849	068758.0554	1202	\$1,050.00	\$48,121.5
03/13 393 11684849	068758.0554	1201	\$600.00	\$47,521.5
03/13 1126 11684912	016295.3146	1011	\$300.00	\$47,221.5
03/13 1128 11684912	016295.3146	1311	\$200.00	\$47,021.5
03/13 1127 11684912	016295.3146	1111	\$500.00	\$46,521.5
03/13 1303 10701409	017575.0782 (TAMUS 1955	2251	\$60.00	\$46,461.5
03/13 1388 11420393	090936.0695	2252	\$225.00	\$46,236.5
03/13 1972 10919990	074263.0216	1806	\$180.00	\$46,056.5
03/13 2012 09829512	073612.0106	1806	\$180.00	\$45,876.5
03/13 2175 10096261	073612.0111	1806	\$180.00	\$45,696.5
03/13 2643 11549421	074104.0136	1051	\$130.00	\$45,566.5
03/13 2644 11549421	074104.0136	1463	\$200.00	\$45,366.5
03/13 4057 10449476	073252.0107	2801	\$395.00	\$44,971.5
03/13 588 60887936	074263.0390	8021	\$40.00	\$44,931.5
03/13 4336 11575154	071308.0806	1631	\$300.00	\$44,631.5
03/13 4337 11575154	071308.0806	1642	\$400.00	\$44,231.5
03/13 4338 11575154	071308.0806	1633	\$200.00	\$44,031.5
03/13 4518 11685321	068758.0555	1011	\$300.00	\$43,731.5
03/13 4519 11685321	068758.0555	1111	\$500.00	\$43,231.5
03/13 4520 11685321	068758.0555	1311	\$200.00	\$43,031.5
03/13 4521 11685321	068758.0555	1202	\$1,250.00	\$41,781.5
03/13 4522 11685321	068758.0555	1201	\$400.00	\$41,381.5
03/14 189 11467743	068758.0439	8021	\$40.00	\$41,341.5

03/14 234 11465605	068758.0457	8021	\$40.00	\$41,301.5
03/14 250 11464372	068758.0453	8021	\$40.00	\$41,261.5
03/14 3549 10364158	071308.0397	1252	\$450.00	\$40,811.5
03/14 3550 10364158	071308.0397	1401	\$500.00	\$40,311.5
03/14 397 11398054	016295.1937	8007	\$180.00	\$40,131.5
03/14 632 11470028	071308.0757	8021	\$40.00	\$40,091.5
03/14 715 11551488	068758.0497	8021	\$40.00	\$40,051.5
03/14 4419 11685957	071308.0813	1011	\$300.00	\$39,751.5
03/14 4420 11685957	071308.0813	1111	\$500.00	\$39,251.5
03/14 4421 11685957	071308.0813	1311	\$200.00	\$39,051.5
03/15 2 11677166	074263.0363	8021	\$40.00	\$39,011.5
03/15 25 11685986	002376.1093	1011	\$300.00	\$38,711.5
03/15 27 11685986	002376.1093	1311	\$200.00	\$38,511.5
03/15 26 11685986	002376.1093	1111	\$500.00	\$38,011.5
03/15 22 11677158	074263.0364	8021	\$40.00	\$37,971.5
03/15 49 11677151	074263.0365	8021	\$40.00	\$37,931.5
03/15 3 PCT/US06/61551	076310.0149	1601	\$300.00	\$37,631.5
03/15 4 PCT/US06/61551	076310.0149	1704	\$2,059.00	\$35,572.5
03/15 5 PCT/US06/61551	076310.0149	1710	\$931.00	\$34,641.5
03/15 6 PCT/US06/61551	076310.0149	1703	\$60.00	\$34,581.5
03/15 7 PCT/US06/61551	076310.0149	8007	\$20.00	\$34,561.5
03/15 410 10679798	016295.1473 (DC-05419)	1251	\$120.00	\$34,441.5
03/15 411 10679798	016295.1473 (DC-05419)	1801	\$790.00	\$33,651.5
03/15 688 11343590	016295.2053 (DC-09624)	1252	\$450.00	\$33,201.5
03/15 1176 PCT/US07/63982		1601	\$300.00	\$32,901.5
03/15 1177 PCT/US07/63982		1701	\$1,008.00	\$31,893.5
03/15 1178 PCT/US07/63982		1703	\$396.00	\$31,497.5
03/15 1179 PCT/US07/63982		1704	\$2,059.00	\$29,438.5
03/15 1279 60894795	077940.0111	1005	\$200.00	\$29,238.5
03/15 258 11462150	068758.0446	8021	\$40.00	\$29,198.5
03/15 1543 11686169	077940.0102	1011	\$300.00	\$28,898.5
03/15 1544 11686169	077940.0102	1111	\$500.00	\$28,398.5
03/15 1545 11686169	077940.0102	1311	\$200.00	\$28,198.5
03/15 1546 11686169	077940.0102	1202	\$750.00	\$27,448.5
03/15 289 11537097	068758.0428	8021	\$40.00	\$27,408.5
03/15 511 11343777	016295.1974	8021	\$40.00	\$27,368.5
03/15 515 11376889	016295.2052	8021	\$40.00	\$27,328.5
03/15 3753 11269101	090936.0586	2251	\$60.00	\$27,268.5
03/15 2130 2436522	076154.0103	7205	\$200.00	\$27,068.5
03/15 2131 2436522	076154.0103	7208	\$400.00	\$26,668.5
03/16 87 29250804	074104.2127	8021	\$40.00	\$26,628.5
03/16 197 29250807	074104.2128	8021	\$40.00	\$26,588.5
03/16 1091 10496909	068351.0146	2253	\$510.00	\$26,078.5
03/16 1643 11284540	074263.0258	1806	\$180.00	\$25,898.5
03/16 1843 11054395	074263.0217 (SC-02-005)	1806	\$180.00	\$25,718.5
03/16 76 11724006	2376.1094	1011	\$300.00	\$25,418.5
03/16 78 11724006	2376.1094	1311	\$200.00	\$25,218.5
03/16 79 11724006	2376.1094	1201	\$200.00	\$25,018.5

03/16 80	11724006	2376.1094	1202	\$750.00	\$24,268.5'
03/16 77	11724006	2376.1094	1111	\$500.00	\$23,768.5'
03/16 81	11724007	002376.1092	1011	\$300.00	\$23,468.5'
03/16 84	11724007	002376.1092	1201	\$200.00	\$23,268.5'
03/16 85	11724007	002376.1092	1202	\$300.00	\$22,968.5'
03/16 83	11724007	002376.1092	1311	\$200.00	\$22,768.5'
03/16 82	11724007	002376.1092	1111	\$500.00	\$22,268.5'
03/16 2391	11686880	076041.1068	1011	\$300.00	\$21,968.5'
03/16 2392	11686880	076041.1068	1111	\$500.00	\$21,468.5'
03/16 2393	11686880	076041.1068	1311	\$200.00	\$21,268.5'
03/16 3508	11687041	068758.0557	1011	\$300.00	\$20,968.5'
03/16 3509	11687041	068758.0557	1111	\$500.00	\$20,468.5'
03/16 3510	11687041	068758.0557	1311	\$200.00	\$20,268.5'
03/16 3705	11565189	068758.0516	1051	\$130.00	\$20,138.5'
03/16 3824	11561962	068758.0505	1051	\$130.00	\$20,008.5'
03/16 4520	10749296	069208.0116	1252	\$450.00	\$19,558.5'
03/19 56	10132962	069099.0104	2251	\$60.00	\$19,498.5'
03/19 57	10132962	069099.0104	2801	\$395.00	\$19,103.5'
03/19 29	10599283	071308.0770	8021	\$40.00	\$19,063.5'
03/19 73	10595254	071308.0701	8021	\$40.00	\$19,023.5'
03/19 1055	11687346	068758.0559	1011	\$300.00	\$18,723.5'
03/19 1056	11687346	068758.0559	1111	\$500.00	\$18,223.5'
03/19 1057	11687346	068758.0559	1311	\$200.00	\$18,023.5'
03/19 185	10596686	071308.0721	8021	\$40.00	\$17,983.5'
03/19 228	10597846	071308.0746	8021	\$40.00	\$17,943.5'
03/19 253	10596365	071308.0712	8021	\$40.00	\$17,903.5'
03/19 282	10599438	071308.0755	8021	\$40.00	\$17,863.5'
03/19 38	11538636	071308.0764	1202	\$300.00	\$17,563.5'
03/19 4849	11565842	077047.0101	2051	\$65.00	\$17,498.5'
03/20 240	11531507	068736.0258	1202	\$1,000.00	\$16,498.5'
03/20 725	10056905	A34729 (071308.0250)	1252	\$450.00	\$16,048.5'
03/20 726	10056905	A34729 (071308.0250)	1401	\$500.00	\$15,548.5'
03/20 909	11246345	074313.0123	1251	\$120.00	\$15,428.5'
03/20 1047	10019719	A34900-PCT-USA	1251	\$120.00	\$15,308.5'
03/20 1048	10019719	A34900-PCT-USA	1401	\$500.00	\$14,808.5'
03/20 1578	11688039	068758.0560	1011	\$300.00	\$14,508.5'
03/20 1579	11688039	068758.0560	1111	\$500.00	\$14,008.5'
03/20 1581	11688039	068758.0560	1202	\$400.00	\$13,608.5'
03/20 1580	11688039	068758.0560	1311	\$200.00	\$13,408.5'
03/20 1653	09950171	A34596 (071308.0234)	1252	\$450.00	\$12,958.5'
03/20 1654	09950171	A34596 (071308.0234)	1801	\$790.00	\$12,168.5'
03/20 1660	11688050	068758.0561	1011	\$300.00	\$11,868.5'
03/20 1661	11688050	068758.0561	1111	\$500.00	\$11,368.5'
03/20 1663	11688050	068758.0561	1202	\$2,300.00	\$9,068.57
03/20 1662	11688050	068758.0561	1311	\$200.00	\$8,868.57
03/20 1703	11688057	068758.0562	1011	\$300.00	\$8,568.57
03/20 1706	11688057	068758.0562	1202	\$200.00	\$8,368.57
03/20 1705	11688057	068758.0562	1311	\$200.00	\$8,168.57

03/20 1704 11688057	068758.0562	1111	\$500.00	\$7,668.57
03/20 2279 11069715	068758.0301	1202	\$100.00	\$7,568.57
03/20 4601 11366259	076041.0673	1464	\$130.00	\$7,438.57
03/20 4602 11366259	076041.0673	1251	\$120.00	\$7,318.57
03/20 4646 11366259	076041.0673	1464	\$130.00	\$7,188.57
03/20 49 PAYMENT		9203	-\$60,000.00	\$67,188.57
03/21 220 11533026	068758.0474	8021	\$40.00	\$67,148.57
03/21 1317 11688617	068736.0250	1011	\$300.00	\$66,848.57
03/21 1319 11688617	068736.0250	1311	\$200.00	\$66,648.57
03/21 1320 11688617	068736.0250	1202	\$150.00	\$66,498.57
03/21 1321 11688617	068736.0250	1201	\$400.00	\$66,098.57
03/21 1318 11688617	068736.0250	1111	\$500.00	\$65,598.57
03/21 253 10597839	071308.0738	8021	\$40.00	\$65,558.57
03/21 276 10596689	071308.0722	8021	\$40.00	\$65,518.57
03/21 1724 10734442	074623.0111	1251	\$120.00	\$65,398.57
03/21 1725 10734442	074623.0111	1401	\$500.00	\$64,898.57
03/21 1726 10734442	074623.0111	1402	\$500.00	\$64,398.57
03/21 4094 10682241	071308.0477	1501	\$1,400.00	\$62,998.57
03/21 4095 10682241	071308.0477	1504	\$300.00	\$62,698.57
03/21 4135 10840565	071308.0539	1501	\$1,400.00	\$61,298.57
03/21 4136 10840565	071308.0539	1504	\$300.00	\$60,998.57
03/21 4346 10978930	074313.0111	1501	\$1,400.00	\$59,598.57
03/21 4347 10978930	074313.0111	1504	\$300.00	\$59,298.57
03/21 804 11459439	068758.0420	8021	\$40.00	\$59,258.57
03/21 4867 PCT/US07/64494	065715.0152	1601	\$300.00	\$58,958.57
03/21 4868 PCT/US07/64494	065715.0152	1701	\$1,008.00	\$57,950.57
03/21 4869 PCT/US07/64494	065715.0152	1703	\$120.00	\$57,830.57
03/21 4870 PCT/US07/64494	065715.0152	1709	\$232.00	\$57,598.57
03/21 4871 PCT/US07/64494	065715.0152	8007	\$20.00	\$57,578.57
03/22 376 11185255	091078.1355	1501	\$1,400.00	\$56,178.57
03/22 377 11185255	091078.1355	1504	\$300.00	\$55,878.57
03/22 569 10960221	091078.1249	1501	\$1,400.00	\$54,478.57
03/22 570 10960221	091078.1249	1504	\$300.00	\$54,178.57
03/22 596 11689163	068758.0556	1011	\$300.00	\$53,878.57
03/22 597 11689163	068758.0556	1111	\$500.00	\$53,378.57
03/22 598 11689163	068758.0556	1311	\$200.00	\$53,178.57
03/22 1192 11689243	021791.0131	4011	\$75.00	\$53,103.57
03/22 1193 11689243	021791.0131	2111	\$250.00	\$52,853.57
03/22 1194 11689243	021791.0131	2311	\$100.00	\$52,753.57
03/22 1195 11689243	021791.0131	2202	\$400.00	\$52,353.57
03/22 1196 11689243	021791.0131	2201	\$300.00	\$52,053.57
03/22 291 10596480	071308.0733	8021	\$40.00	\$52,013.57
03/22 1597 PCT/US07/64530	076041.1073	1601	\$300.00	\$51,713.57
03/22 1600 PCT/US07/64530	076041.1073	8007	\$20.00	\$51,693.57
03/22 1599 PCT/US07/64530	076041.1073	1704	\$2,059.00	\$49,634.57
03/22 1598 PCT/US07/64530	076041.1073	1701	\$1,008.00	\$48,626.57
03/22 1897 PCT/US07/64538	076041.1074	1601	\$300.00	\$48,326.57
03/22 1898 PCT/US07/64538	076041.1074	1701	\$1,008.00	\$47,318.57

03/22 1899 PCT/US07/64538 076041.1074	1704	\$2,059.00	\$45,259.5
03/22 1900 PCT/US07/64538 076041.1074	8007	\$40.00	\$45,219.5
03/22 410 11550165 068758.0495	8021	\$40.00	\$45,179.5
03/22 1 10841124 075061.0102	1402	-\$500.00	\$45,679.5
03/22 2 10841124 075061.0102	1401	\$500.00	\$45,179.5
03/22 679 10596689 071308.0722	8021	\$40.00	\$45,139.5
03/22 784 10596199 071308.0719	8021	\$40.00	\$45,099.5
03/26 110 11690382 064441.0360	1011	\$300.00	\$44,799.5
03/26 111 11690382 064441.0360	1111	\$500.00	\$44,299.5
03/26 113 11690382 064441.0360	1202	\$250.00	\$44,049.5
03/26 112 11690382 064441.0360	1311	\$200.00	\$43,849.5
03/26 86 10599218 071308.0759	8021	\$40.00	\$43,809.5
03/26 633 10651946 016295.1423 (DC-05158)	1251	\$120.00	\$43,689.5
03/26 106 10599222 071308.0760	8021	\$40.00	\$43,649.5
03/26 139 10599230 071308.0761	8021	\$40.00	\$43,609.5
03/26 1592 11102106 090936.0561	2252	\$225.00	\$43,384.5
03/26 1769 PCT/US07/64822 076069.0120	1601	\$300.00	\$43,084.5
03/26 1772 PCT/US07/64822 076069.0120	1704	\$2,059.00	\$41,025.5
03/26 1773 PCT/US07/64822 076069.0120	8007	\$40.00	\$40,985.5
03/26 1771 PCT/US07/64822 076069.0120	1703	\$3,024.00	\$37,961.5
03/26 1770 PCT/US07/64822 076069.0120	1701	\$1,008.00	\$36,953.5
03/26 1977 11690638 076069.0118	4011	\$75.00	\$36,878.5
03/26 1979 11690638 076069.0118	2311	\$100.00	\$36,778.5
03/26 1980 11690638 076069.0118	2081	\$375.00	\$36,403.5
03/26 1982 11690638 076069.0118	2201	\$100.00	\$36,303.5
03/26 1981 11690638 076069.0118	2202	\$250.00	\$36,053.5
03/26 1978 11690638 076069.0118	2111	\$250.00	\$35,803.5
03/26 2372 11565980 074623.0122	1051	\$130.00	\$35,673.5
03/26 2554 11566501 068758.0517	1051	\$130.00	\$35,543.5
03/26 2670 11566324 071308.0784	1051	\$130.00	\$35,413.5
03/26 1 11069715 068758.0301	1202	\$50.00	\$35,363.5
03/26 652 11572768 071308.0781	8021	\$40.00	\$35,323.5
03/26 671 11569299 071308.0782	8021	\$40.00	\$35,283.5
03/26 692 11569307 071308.0779	8021	\$40.00	\$35,243.5
03/26 706 11573820 071308.0778	8021	\$40.00	\$35,203.5
03/26 4815 11539416 070255.0699	1051	\$130.00	\$35,073.5
03/27 154 11549765 068758.0494	1053	\$130.00	\$34,943.5
03/27 155 11549765 068758.0494	1051	\$130.00	\$34,813.5
03/27 156 11549765 068758.0494	1464	\$130.00	\$34,683.5
03/27 157 11549765 068758.0494	1253	\$1,020.00	\$33,663.5
03/27 1 PCT/US07/60445 074814.0106	8007	\$20.00	\$33,643.5
03/27 914 11609202 065715.0122 1	2051	\$65.00	\$33,578.5
03/27 2560 10909182 068758.0235	1201	\$200.00	\$33,378.5
03/27 2769 10117040 069099.0111	2253	\$510.00	\$32,868.5
03/27 2770 10117040 069099.0111	1806	\$180.00	\$32,688.5
03/27 602 11572768 006910.2161	8021	\$40.00	\$32,648.5
03/27 5068 11576079 071308.0812	1631	\$300.00	\$32,348.5
03/27 5069 11576079 071308.0812	1642	\$400.00	\$31,948.5

03/27	5070	11576079	071308.0812	1633	\$200.00	\$31,748.5
03/28	16	11691720	090936.0704	4011	\$75.00	\$31,673.5
03/28	17	11691720	090936.0704	2111	\$250.00	\$31,423.5
03/28	18	11691720	090936.0704	2311	\$100.00	\$31,323.5
03/28	72	11539416	070255.0699	8021	\$40.00	\$31,283.5
03/28	477	11691789	064814.0236	1011	\$300.00	\$30,983.5
03/28	481	11691789	064814.0236	1201	\$1,000.00	\$29,983.5
03/28	478	11691789	064814.0236	1111	\$500.00	\$29,483.5
03/28	479	11691789	064814.0236	1311	\$200.00	\$29,283.5
03/28	480	11691789	064814.0236	1202	\$3,700.00	\$25,583.5
03/28	521	11677166	074263.0363	1051	\$130.00	\$25,453.5
03/28	665	11677151	074263.0365	1051	\$130.00	\$25,323.5
03/28	797	11677158	074263.0364	1051	\$130.00	\$25,193.5
03/28	906	11691826	068758.0566	1011	\$300.00	\$24,893.5
03/28	908	11691826	068758.0566	1311	\$200.00	\$24,693.5
03/28	909	11691826	068758.0566	1202	\$500.00	\$24,193.5
03/28	910	11691826	068758.0566	1201	\$400.00	\$23,793.5
03/28	907	11691826	068758.0566	1111	\$500.00	\$23,293.5
03/28	1403	11691887	016295.3095	1011	\$300.00	\$22,993.5
03/28	1405	11691887	016295.3095	1311	\$200.00	\$22,793.5
03/28	1404	11691887	016295.3095	1111	\$500.00	\$22,293.5
03/28	1740	PCT/US07/65092	076069.0121	1601	\$300.00	\$21,993.5
03/28	1743	PCT/US07/65092	076069.0121	1704	\$2,059.00	\$19,934.5
03/28	1744	PCT/US07/65092	076069.0121	8007	\$40.00	\$19,894.5
03/28	1742	PCT/US07/65092	076069.0121	1703	\$1,008.00	\$18,886.5
03/28	1741	PCT/US07/65092	076069.0121	1701	\$1,008.00	\$17,878.5
03/28	2040	60908337	074263.0398	1005	\$200.00	\$17,678.5
03/28	2168	11691994	076069.0123	1011	\$300.00	\$17,378.5
03/28	2169	11691994	076069.0123	1111	\$500.00	\$16,878.5
03/28	2170	11691994	076069.0123	1311	\$200.00	\$16,678.5
03/28	2171	11691994	076069.0123	1202	\$150.00	\$16,528.5
03/28	2319	11692020	068758.0567	1011	\$300.00	\$16,228.5
03/28	2320	11692020	068758.0567	1111	\$500.00	\$15,728.5
03/28	2321	11692020	068758.0567	1311	\$200.00	\$15,528.5
03/28	2322	11692020	068758.0567	1202	\$400.00	\$15,128.5
03/28	790	11565924	074623.0121	8021	\$40.00	\$15,088.5
03/28	856	11565141	070255.0690	8021	\$40.00	\$15,048.5
03/29	8	11502687	065715.0118	2255	\$1,080.00	\$13,968.5
03/29	739	11692530	068758.0558	1011	\$300.00	\$13,668.5
03/29	740	11692530	068758.0558	1111	\$500.00	\$13,168.5
03/29	741	11692530	068758.0558	1311	\$200.00	\$12,968.5
03/29	943	11692554	068758.0564	1011	\$300.00	\$12,668.5
03/29	945	11692554	068758.0564	1311	\$200.00	\$12,468.5
03/29	944	11692554	068758.0564	1111	\$500.00	\$11,968.5
03/29	1184	11692592	068758.0568	1011	\$300.00	\$11,668.5
03/29	1187	11692592	068758.0568	1202	\$800.00	\$10,868.5
03/29	1188	11692592	068758.0568	1201	\$600.00	\$10,268.5
03/29	1186	11692592	068758.0568	1311	\$200.00	\$10,068.5

03/29 1185 11692592	068758.0568	1111	\$500.00	\$9,568.57
03/29 266 10595159	071308.0694	8021	\$40.00	\$9,528.57
03/29 2757 10797941	068758.0177	1251	\$120.00	\$9,408.57
03/29 2758 10797941	068758.0177	1801	\$790.00	\$8,618.57
03/29 620 11609202	065715.0122	8021	\$40.00	\$8,578.57
03/29 686 11549809	074313.0130	8021	\$40.00	\$8,538.57
03/29 798 11531132	070255.0682	8021	\$40.00	\$8,498.57
03/29 159 PAYMENT		9203	-\$60,000.00	\$68,498.57
03/30 1149 11693333	068758.0569	1011	\$300.00	\$68,198.57
03/30 1150 11693333	068758.0569	1111	\$500.00	\$67,698.57
03/30 1151 11693333	068758.0569	1311	\$200.00	\$67,498.57
03/30 1153 11693333	068758.0569	1201	\$400.00	\$67,098.57
03/30 1152 11693333	068758.0569	1202	\$950.00	\$66,148.57
03/30 1252 11615061	068758.0522	1051	\$130.00	\$66,018.57
03/30 1419 11693373	068758.0563	1011	\$300.00	\$65,718.57
03/30 1420 11693373	068758.0563	1111	\$500.00	\$65,218.57
03/30 1421 11693373	068758.0563	1311	\$200.00	\$65,018.57
03/30 300 11615061	068758.0522	8021	\$40.00	\$64,978.57
03/30 310 11532666	068758.0464	8021	\$40.00	\$64,938.57
03/30 1744 11100231	068758.0315	1202	\$200.00	\$64,738.57
03/30 1745 11100231	068758.0315	1201	\$600.00	\$64,138.57
03/30 415 11468103	068758.0468	8021	\$40.00	\$64,098.57
03/30 4862 11466252	074263.0318 SD-00-008	1255	\$2,160.00	\$61,938.57
03/30 799 11561962	068758.0505	8021	\$40.00	\$61,898.57

START
BALANCE
\$19,952.57

SUM OF
CHARGES
\$154,244.00

SUM OF END
REPLENISH BALANCE
\$196,190.00 \$61,898.57

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